

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

MICHAEL DONALDSON,

Plaintiff,

V.

TRAE FUELS, LLC., et al.

Defendants.

Case No.: 3:18CV00097

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

EXHIBIT 3



910 54th Ave, Suite 230
Greeley, Colorado 80634

Employee Counseling Notice

Employee Name: **Michael Donaldson** _____

Date: 06/04/2014

Position/Title: Trae-Fuels Controller

Dept. _____

Reason for Notice: (See attached copy if applicable)

John Frink, Chris LaRocco and I met with Michael to establish performance expectations, specifically for the next two weeks. Chris explained the necessity and the importance of how vital the controller position is to the success of Trae-Fuels and how this position needs to be current at all times with financial reporting, including current cash flow and as the controller he should be communicating daily with John on the current status of Trae-Fuels financially ('what does it cost us to open the door everyday') was the example given. Discussion also included: making decisions faster, knowing inventory at all times, and how that data correlates with financials.

I emphasized that he (Michael) needs to meet daily with John to discuss current financials and updates (no more leaving reports on his desk without conversation), he needs to focus on performing at a higher level and not in the day-to-day 'weeds' of things going on in the office. I also removed all HR employee file responsibilities (except the 5 exempt manager positions) from Michael's responsibility. During an audit of the files during this visit, I found the files to be out of federal compliance, confidentiality agreements were missing, and random accounts payable items were placed in the employee files. I did a training session with Michael and Fran and Fran will be responsible for the files until further notice. In addition, I told Michael he needs to create accounts payable files for all the vendors they are using and those files need to be current at all time.

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Action Taken on This Notice: (Plan of Action)

Chris is going to make a score card and/or excel spreadsheet for Michael to use to start collecting vital financial information which will help with reporting and creating a 'State of the Union' style report that he can share with corporate and John at all times.

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Next Step if Infraction is repeated:

This was not discussed, as this first meeting was to convey the expectations that are needed for the controller position and more specially, for Michael to understand he needs to produce more qualitative/quantitative work and be a hands on controller.

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Signed: [Signature] _____
Date

Signed: _____
Employee Date

Original to be placed in Employee's File